CITY OF SUNNYVALE
REPORT
Administrative Hearing

March 2, 2005

SUBJECT: **2005-0058 - Mike Ma** [Applicant] **Lin Yingchih and Lo Chih Yang** [Owner]: Application for a. The property is located at **175 East Olive Avenue** in a DSP-10 (Downtown Specific Plan/Block 10) Zoning District.

Motion Special Development Permit on a 6,608 square-foot site to allow modifications to the second story and the addition of a carport.

REPORT IN BRIEF

Existing Site Conditions Fourplex

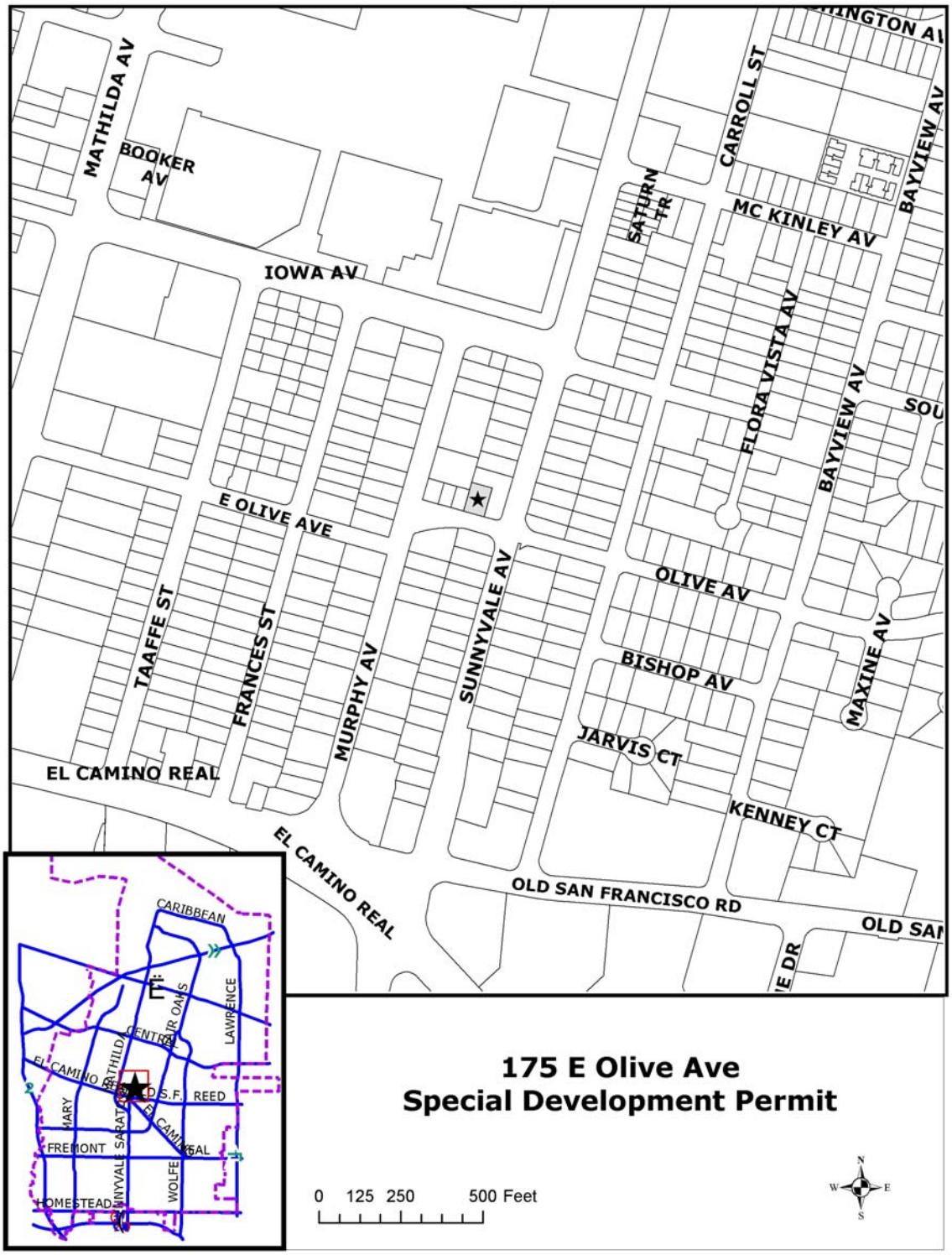
Surrounding Land Uses

North	Office
South	Single Family Home and Office
East	Office
West	Single Family Home and Condominiums

Issues Adequate Parking
Impervious Surface

Environmental Status A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

Staff Recommendation Approve with Conditions


MATHILDA AV
BOOKER AV
IOWA AV
SATURN TR
CARROLL ST
MC KINLEY AV
BAYVIEW AV
FLORA VISTA AV
E OLIVE AVE
TAAFFE ST
FRANCES ST
MURPHY AV
SUNNYVALE AV
OLIVE AV
BISHOP AV
MAXINE AV
JARVIS CT
KENNEY CT
EL CAMINO REAL
OLD SAN FRANCISCO RD
CARIBBEAN
LAWRENCE
CENTRAL
FREMONT
WOLFE
HOMESTEAD
175 E Olive Ave
Special Development Permit
0 125 250 500 Feet
N
W
E
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PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Downtown Specific Plan	Same	Downtown Specific Plan
Zoning District	DSP-10	Same	DSP-10
Lot Size (s.f.)	6,608	Same	No min.
Gross Floor Area (s.f.)	2,770	Same	No max.
Lot Coverage (%)	31.5	Same	60 max.
No. of Units	4	2	2 max.
Bedrooms/Unit	3 2-bdrm units 1 1-bdrm unit	1 2-bdrm unit 1 3-bdrm unit	---
No. of Buildings On-Site	2	4 (with carports)	---
Distance Between Buildings			min.
Building Height (ft.)	19.3	21.3	30 max.
No. of Stories	2	Same	2 max.
Setbacks (Facing Property)			
• **Front**	24'5"	Same	min.
• **Left Side**	1'6"	Same	min.
• **Right Side**	4'	7'7"	min.
• **Rear**	2'5"	Same	min.
Landscaping (sq. ft.)			
• **Total Landscaping**	Approx 1,000	Approx 1,800	1,321 min.
Parking			
• **Total Spaces**	3	4	4 min.
• **Covered Spaces**	1	2	2 min.
Stormwater			
• **Impervious Surface Area (s.f.)**	5,608 (83%)	4,808 (72%)	No req.

ANALYSIS

Description of Proposed Project

The proposed project includes modifying the second story by raising the roof and adding covered parking spaces in addition to other minor site improvements. This work requires a Special Development Permit as it involves modifications to existing structures.

In November 2004, the Neighborhood Preservation Division received a complaint that a duplex property had been illegally converted into a fourplex. After Neighborhood Preservation contacted the property owner, this application was submitted to correct the unpermitted conversions that had taken place and make improvements to bring it up to current Building code and Planning standards.

Background

Previous Actions on the Site: There are no significant previous planning applications for the subject site.

Environmental Review

A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines. Class 1 Categorical Exemption includes minor additions to existing facilities.

Special Development Permit

Site Layout: The property has one main structure with a detached structure in the rear. The detached building will be converted from the existing unpermitted unit into a storage structure. The main house will be converted back into a legal duplex for a total of two units.

Two one-car carports are proposed on either side of the main house. These carports have angled composition shingle roofs with wooden posts painted to match the existing house. Each carport has one driveway leading to it. Staff recommends Condition of Approval #2A that the right-hand driveway be rebuilt to meet current City standards.

Stormwater Management: The existing site is substantially paved. As part of this submittal, the applicant is proposing to remove most of the paving in the rear yard to increase pervious surfaces.

Architecture: The existing architecture of the house is not changing. The roof is being raised approximately two feet in order to meet building code requirements for minimum ceiling height in the second story. The Building Division requires that the detached structure in the rear have firewalls added to the left and rear walls to meet current building code (Condition #2C).

Landscaping: The landscaping on-site is constrained. There are several small planters in the front and a narrow band of landscaping around the perimeter of the site with the rest of the site paved. The applicant is removing pavement in the rear and adding landscaping in order to bring the site up to the requirement of 20% (Condition #2D).

The site currently has 2 protected heritage trees. Protected trees are those that measure 38 inches or greater in circumference when measured at four feet from the ground. The plans for this project include preserving both of the protected trees.

Parking/Circulation: The Downtown Specific Plan has a modified parking requirement for single family and duplex homes. It requires one covered and one uncovered space per unit (as opposed to the two covered and two uncovered required in the rest of the City). This application meets those requirements and will also upgrade the driveway approach to meet current City standards.

Compliance with Development Standards/Guidelines: The project brings the property more into conformance with current development standards and building code. The addition of covered parking is a benefit to the site as is reducing the amount of paved area and increasing landscaping.

Downtown Specific Plan: This project is in compliance with the Downtown Specific Plan in terms of use, density, and other development standards.

Expected Impact on the Surroundings: This application would not have impacts on the surrounding properties. The increase in height to the main house is minor and will not create a significant visual or privacy impact on the street or adjoining properties.

Fiscal Impact

No fiscal impacts other than normal fees and taxes are expected.

Public Contact

Staff received one phone call from the adjoining neighbor stating support of the project.

Notice of Public Hearing	Staff Report	Agenda
• Published in the *Sun* newspaper • Posted on the site • 20 notices mailed to adjacent property owners and residents of the project site	• Posted on the City of Sunnyvale's Website • Provided at the Reference Section of the City of Sunnyvale's Public Library	• Posted on the City's official notice bulletin board • City of Sunnyvale's Website • Recorded for SunDial

Conclusion

Findings and General Plan Goals: Staff was able to make the required Findings based on the justifications for the Special Development Permit. Findings and General Plan Goals are located in Attachment A.

Conditions of Approval: Conditions of Approval are located in Attachment B.

Alternatives

1. Approve the Special Development Permit with attached conditions.
2. Approve the Special Development Permit with modified conditions.
3. Deny the Special Development Permit.

Recommendation

Alternative 1.

Prepared by:

Diana O'Dell
Project Planner

Reviewed by:

Steve Lynch
Associate Planner

Attachments:

A. Recommended Findings
B. Recommended Conditions of Approval
C. Site and Architectural Plans

Recommended Findings - Special Development Permit

Goals and Policies that relate to this project are:

Land Use and Transportation Element Policy N1.4 – *Preserve and enhance the high quality character of residential neighborhoods.*

Land Use and Transportation Element Action Statement N1.1.5 – *Establish and monitor standards for community appearance and property maintenance.*

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as the project adds covered parking, brings the site into conformance with density restrictions and adds landscaping.

2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties as the project will not have a negative visual impact on the street or adjacent residents' privacy.

Recommended Conditions of Approval - Special Development Permit

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

1. GENERAL CONDITIONS

A. Project shall be in conformance with the plans approved at the public hearing(s). Minor changes may be approved by the Director of Community Development; major changes may be approved at a public hearing.

B. The Conditions of Approval shall be reproduced on a page of the plans submitted for a Building permit for this project.

C. The Special Development Permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date.

2. COMPLY WITH OR OBTAIN OTHER PERMITS

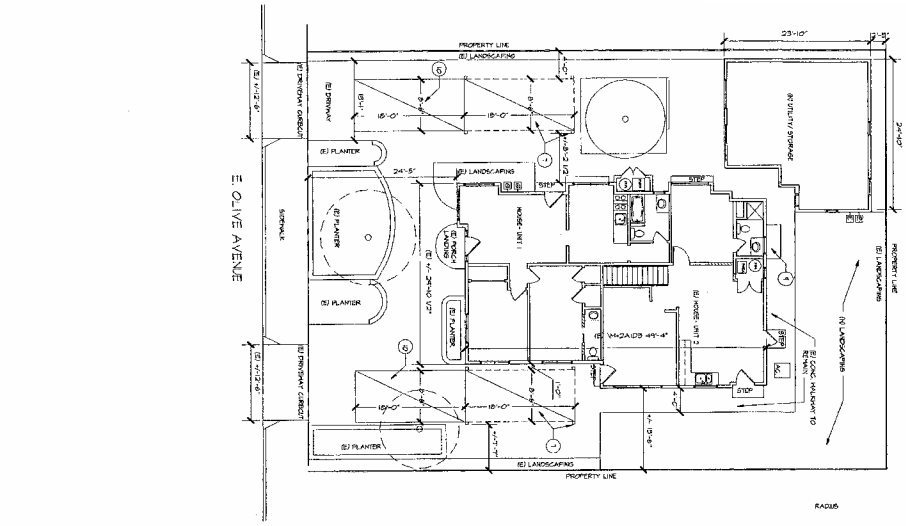
A. Obtain an encroachment permit from the Department of Public Works for upgrading the current easterly driveway approach concurrently with issuance of the building permit.

B. File a lot line adjustment with the Department of Public Works to remove the lot line splitting the lot into northerly and southerly sections prior to issuance of the building permit.

C. Obtain Building Permits to upgrade the second story, add carports, and add firewalls to the existing detached structure within four months of the date of the final approval.

D. Proposed landscaping and removal of paved areas shall be shown on the building permit plans.

2005-0058 Mike Ma



LEGEND

(E) WALL OR STRUCTURE TO REMAIN

(E) WALL OR DOOR TO BE REMOVED
NEW DOOR OR WINDOW

(E) WINDOW TO BE REMOVED

1. REMOVE (E) PAD TREE(S) + TRIM(S).
2. (E) LANDSCAPING / PLANTER TO REMAIN.
3. (E) TREE TO REMAIN.
4. (E) TRELLIS/ SCREEN, CANOPY + POSTS TO REMAIN.
5. REMOVE (E) CONC. PAVING + CURB AS NEEDED AND EXTEND LANDSCAPING AREA AS INDICATED.
6. NOT USED.
7. NEW CANOPY + POSTS FOR COVERED PARKING
8. REMOVE (E) EXTERIOR DOOR + ADJACENT WALLS AS INDICATED
9. (E) GRAVEL SPACE ACCESS.
10. PROPOSED 8'-6"(W)x 17' OPEN PARKING
11. DEMOLISH ALL (E) INTERIOR WALLS AND REMOVE ALL (E) FINISHES AS NEEDED TO BE READY FOR REMODEL

SITE PLAN KEYNOTES

SITE PLAN GENERAL NOTES

LOT AREA: 6,960 SF.
20% LANDSCAPING REQUIRED: 1,392 SF.
ACTUAL LANDSCAPING COVERAGE PROVIDED (AFTER MODIFICATION): 1,395 SF.

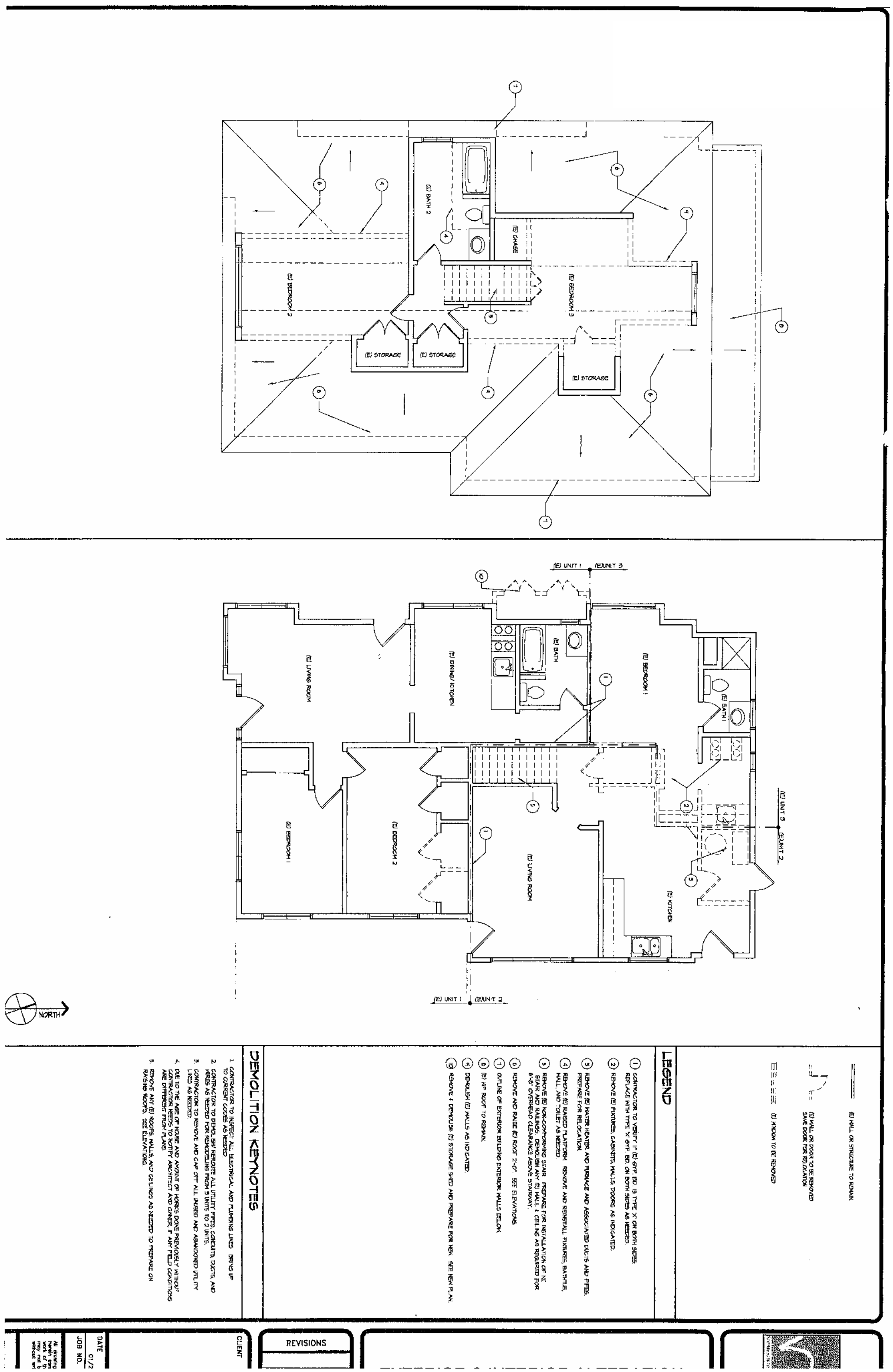
CLIENT
DR. LIN

REVISIONS

EXTERIOR & INTERIOR ALTERATION
for a DUPLEX

DATE 01/21/26
JOB NO.
CHK
DRA

EXISTING & PR
SITE PLA


NORTH
LEGEND
DEMOLITION KEYNOTES
CLIENT
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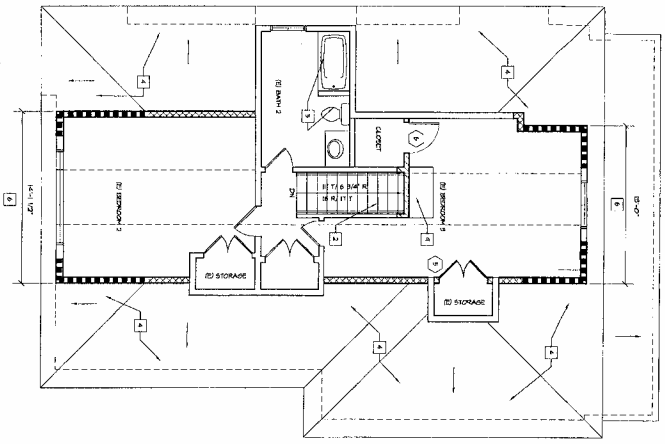
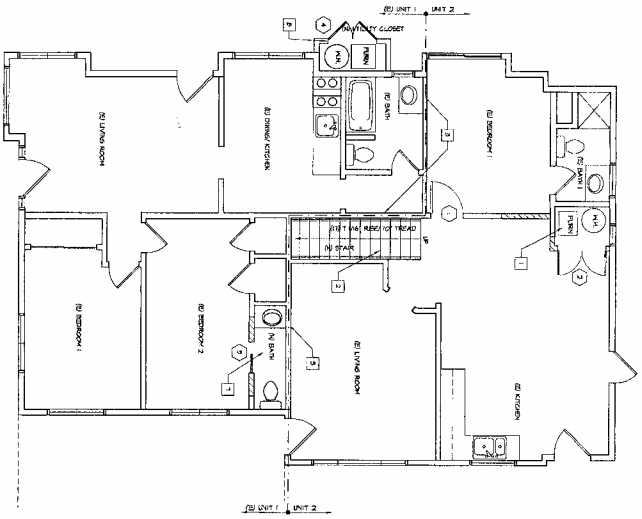




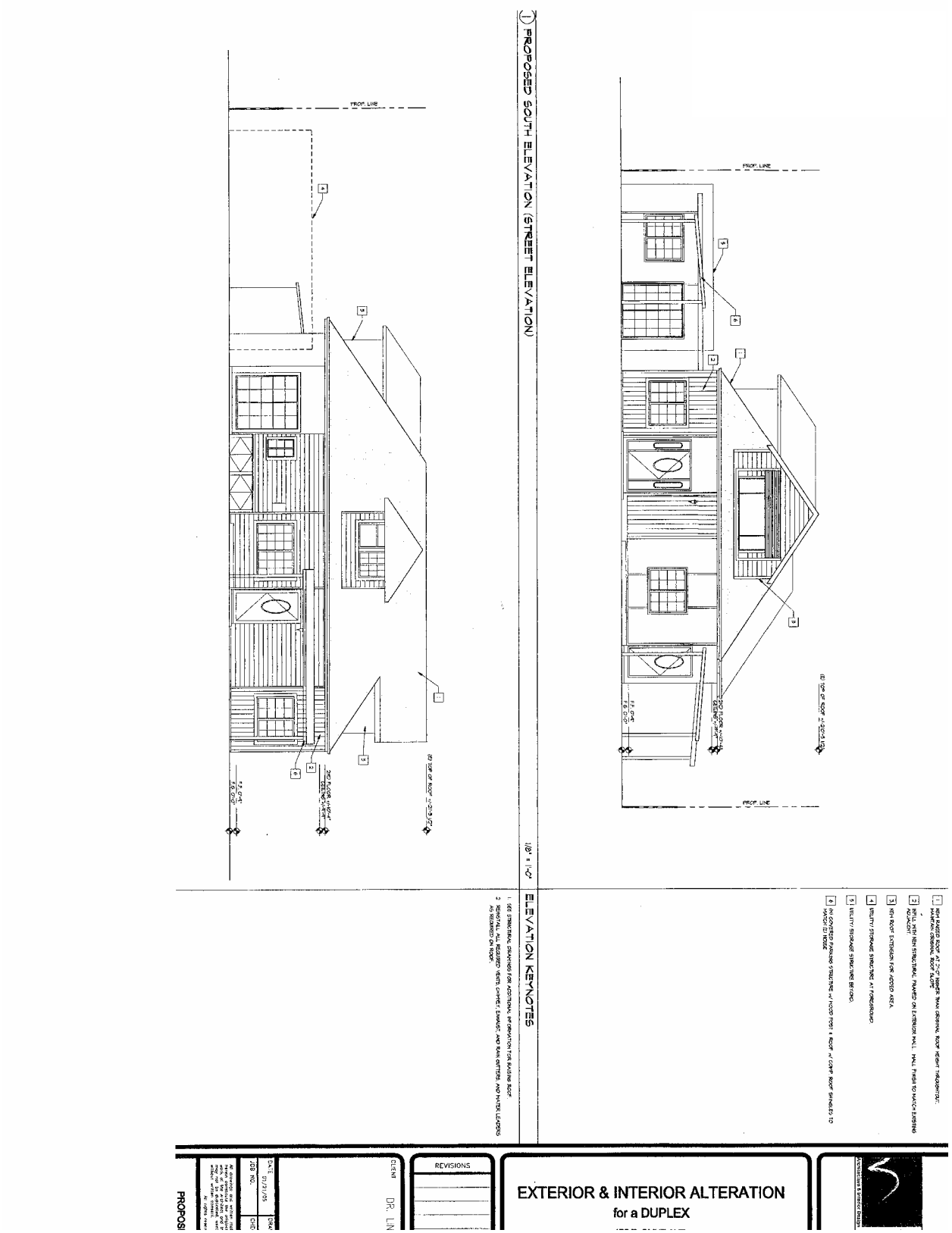
LEGEND

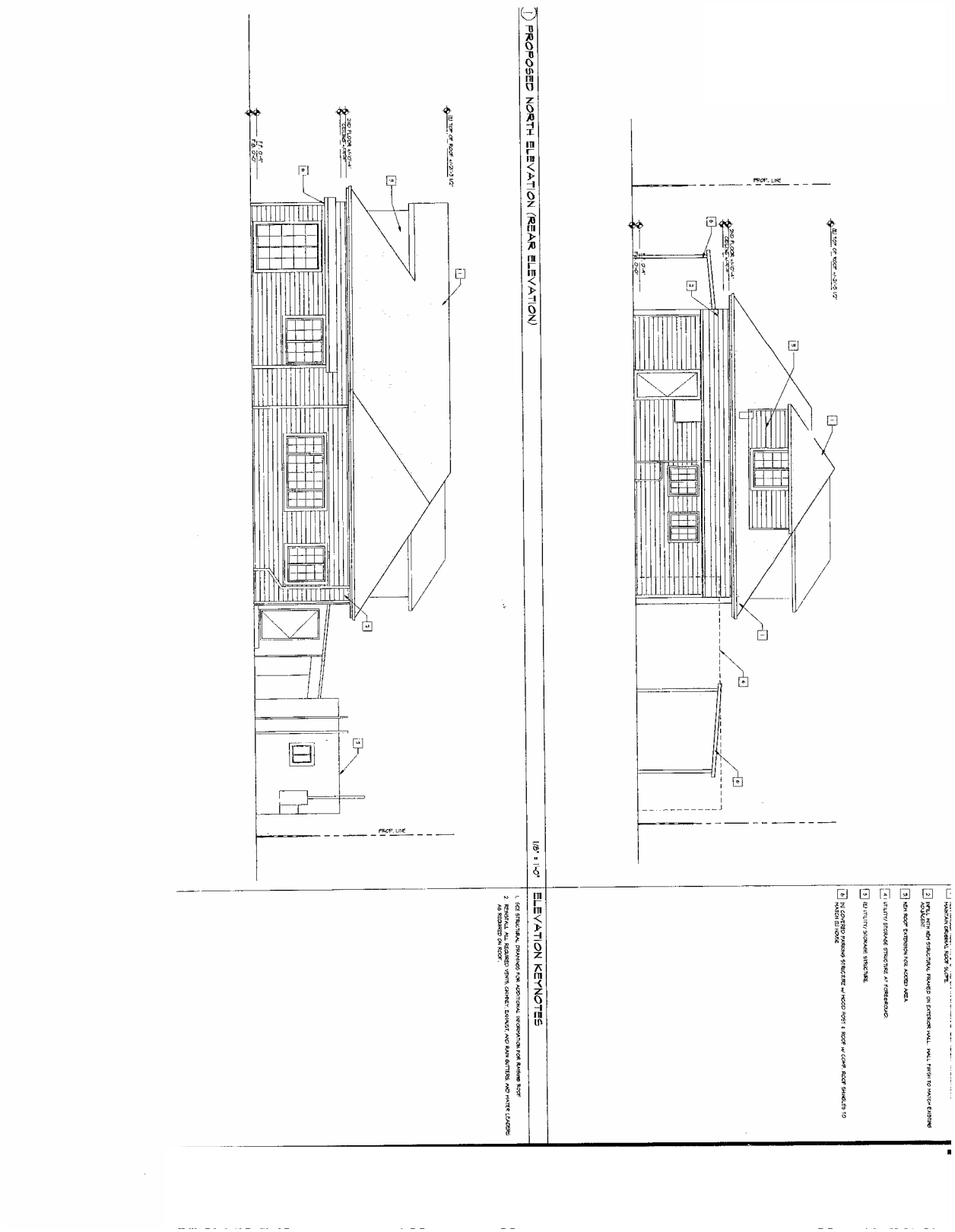
- (E) WALL OR STRUCTURE TO REMAIN
- NEW EXTERIOR WALL
- (E) WALL TO BE REMOVED
- NEW INTERIOR WALL
- NEW 2X4 WOOD STUD INTERIOR WALL @ 16" O.C. ON INTERIOR SIDE, PAINTED. SEE SHEET A-3 FOR WALL TYPES
- NEW 2X4 WOOD STUD EXTERIOR WALL @ 16" O.C. ON EXTERIOR SIDE, PROVIDE WOOD SIDING TO MATCH ADJACENT EXISTING & 1/2" GYPSUM BOARD ON INTERIOR SIDE, PAINTED. PROVIDE BATT INSULATION
- NEW EXTERIOR WALL AT ATTIC (BEARING WALL)
- NEW INTERIOR WALL AT ATTIC (BEARING WALL)
- (N) 2X4 WOOD STUD INTERIOR WALL @ 16" O.C. ON BOTH SIDES. SEE SHEET A-3 FOR WALL TYPES
- (N) 2X4 WOOD STUD INTERIOR WALL @ 16" O.C. ON BOTH SIDES. USE 5/8" GREEN BOARD ON THE WALLS AT BATHROOM KITCHEN AND LAUNDRY. PROVIDE BATT INSULATION
- (N) 2X4 WOOD STUD INTERIOR WALL @ 16" O.C. ON BOTH SIDES. SEE SHEET A-3 FOR WALL TYPES. USE 5/8" GREEN BOARD ON THE WALLS AT BATHROOM KITCHEN AND LAUNDRY. PROVIDE BATT INSULATION
- NEW 2X4 WOOD STUD INTERIOR WALL @ 16" O.C. ON INTERIOR SIDE, PAINTED. SEE SHEET A-3 FOR WALL TYPES. PROVIDE BATT INSULATION
- (N) 2X4 WOOD STUD EXTERIOR WALL @ 16" O.C. ON INTERIOR SIDE, PAINTED. SEE SHEET A-3 FOR WALL TYPES. PROVIDE BATT INSULATION
- NEW EXTERIOR WALL AT ATTIC (NON-BEARING WALL)
- (N) 2X4 WOOD STUD EXTERIOR WALL @ 16" O.C. ON INTERIOR SIDE, PAINTED. SEE SHEET A-3 FOR WALL TYPES. PROVIDE BATT INSULATION

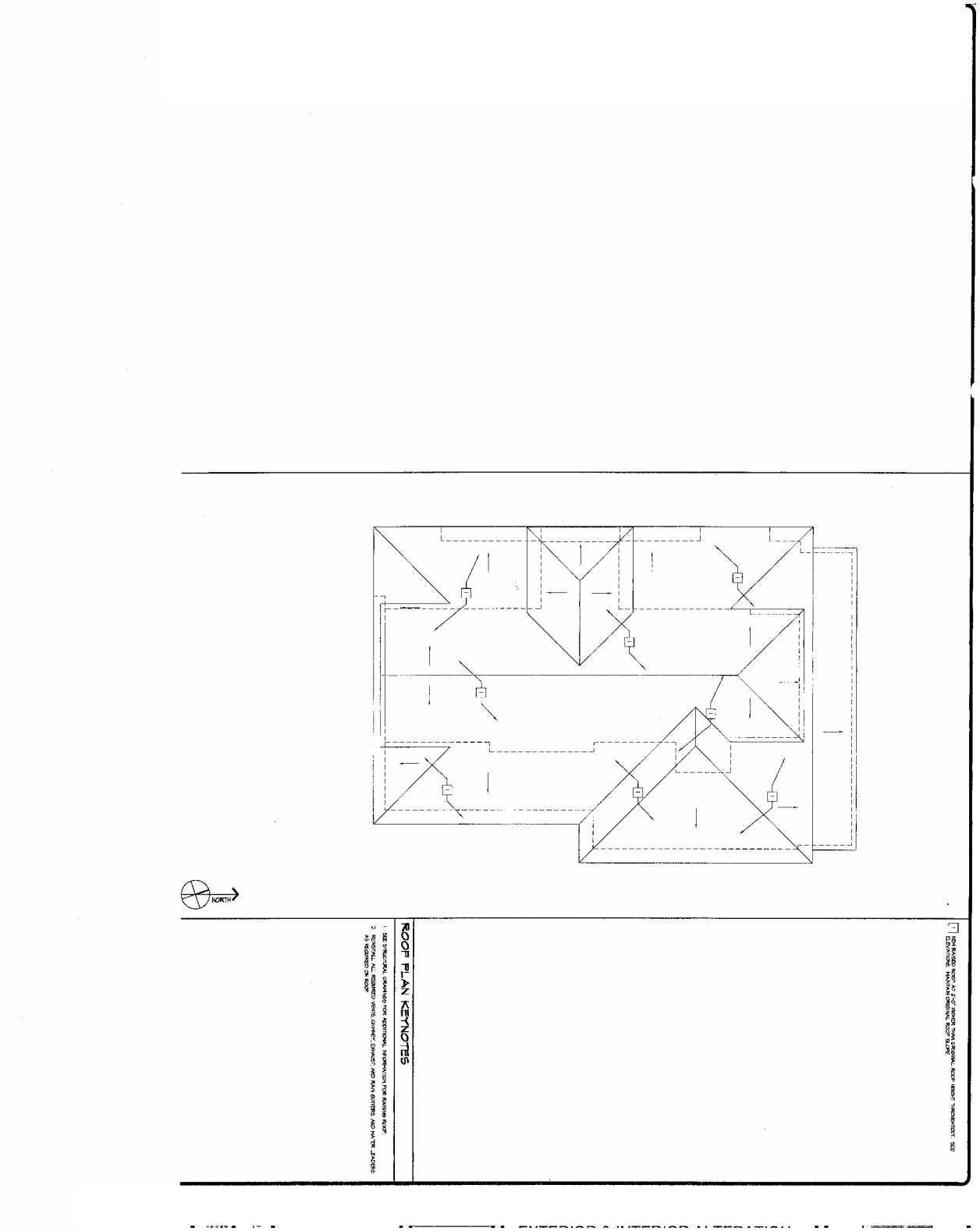
1. RELOCATED WATER HEATER. 1 FIXTURE. RELOCATE TO SERVE ONLY UNIT 2. CONTRACTOR TO PROVIDE DUCTS AT RAISED CEILING AS NEEDED FOR ALL ROOMS
2. NEW WOOD STAIR AND HANDRAILS. MODIFY (E) HALL + LOWER CEILING TO PROVIDE MIN. 6'-8" OVERHEAD CLEARANCE ABOVE STAIRWAY
3. REPLACE (E) MIN. 68"-7"H. X 69"-7"W. DO. ON BOTH SIDES FOR WALLS SEPARATING UNITS.
4. NEW RAISED ROOF AT 1'-10" HIGHER. SEE ELEVATIONS
5. REINSTALL SALVAGED FURNISH. AND TOILET
6. COORDINATE WITH EXTERIOR ELEVATION. ROOF LINE OF NEW EXTENSION SHALL BE AT SAME HEIGHT AS MAIN ROOF RIDGE
7. NEW HALF BATH w/ SINK + TOILET.
8. NEW UTILITY CLOSET FOR NEW WATER HEATER + FIXTURE FOR UNIT 1. CONTRACTOR TO PROVIDE 4" CONNECT DUCTS THROUGH UNDER FLOOR SPACE TO NEW ROOM.
9. NEW RAISED 69"H. @ 1'-10" TO 2'-0" HEIGHT FOR STAIR HEAD CLEARANCE.

PROPOSED PLAN KEYNOTES

1. CONSTRUCTION TO PERFORM ALL MECHANICAL, ELECTRICAL AND PLUMBING LINES. BRING UP TO CURRENT CODES AS NEEDED.
2. CONTRACTOR TO ADD INSULATION (R30) OR (R11) UNDER ROOF FRAMING ABOVE SECOND FLOOR AND ABOVE BROWN FLOOR IN ATTIC THROUGHOUT.


PROPOSED SOUTH ELEVATION (STREET ELEVATION)
1/8" = 1'-0"
PROP. LINE
PROP. LINE
ELEVATION KEYNOTES
1. SEE STRUCTURAL DRAWINGS FOR ADDITIONAL INFORMATION FOR RAISING ROOF.
2. REMOVE ALL REQUIRED VENTS, CHIMEY, EXHAUST, AND RAIN GUTTERS, AND WATER LEADERS AS REQUIRED ON ROOF.
EXTERIOR & INTERIOR ALTERATION
for a DUPLEX
REVISIONS
CLIENT
DR. LIN
DATE 01/31/05
JOB NO.
CHK
DRA
PROPOSI


1 PROPOSED NORTH ELEVATION (REAR ELEVATION)
1/8" = 1'-0"
PROP. LINE
ELEVATION KEYNOTES
1. SEE STRUCTURAL DRAWINGS FOR ADDITIONAL INFORMATION FOR RAISING ROOF.
2. REMOVE ALL EXISTING ROOFING, VENTS, GRAVEL, GUTTER, AND FASCIA BOARDS AS REQUIRED ON ROOF.
1 MAINTAIN ORIGINAL ROOF SLOPE.
2 INFILL WITH NEW STRUCTURAL FRAMED ON EXTERIOR WALL. MATCH TO MAINTAIN EXISTING ROOFLINE.
3 NEW ROOF EXTENSION FOR ADDED AREA.
4 UTILITY STORAGE STRUCTURE AT FOREGROUND.
5 (E) UTILITY STORAGE STRUCTURE.
6 (N) COVERED PARKING STRUCTURE w/ WOOD POST & ROOF W/ COMP. ROOF SHINGLES TO MATCH (E) HOME.


NORTH
ROOF PLAN KEYNOTES
1. SEE STRUCTURAL DRAWINGS FOR ADDITIONAL INFORMATION FOR RAISING ROOF
2. REINSTALL ALL REQUIRED VENTS, CHIMNEY, DOMVENT, AND RAIN GUTTERS, AND MATCH FLASHING AS REQUIRED ON ROOF
RAISED ROOF AT 2'-0" HIGHER THAN ORIGINAL ROOF HEIGHT THROUGHOUT. SEE ELEVATIONS FOR FINISH ORIGINAL ROOF SLOPE